

811 KAR 2:025. Stewards.

RELATES TO: KRS 230.610-230.770

STATUTORY AUTHORITY: KRS Chapter 13A

NECESSITY, FUNCTION, AND CONFORMITY: To regulate conditions under which Arabian, quarter horse and appaloosa racing shall be conducted in Kentucky. The function of this administrative regulation is to outline the qualifications, duties, powers and responsibilities of the stewards.

Section 1. Qualifications for a Steward. No person shall qualify for commission appointment or approval as a steward unless:

(1) He has served as a steward, or racing secretary or assistant racing secretary, or starter, or placing judge, or patrol judge, or paddock judge, or clerk of scales, and as an observer in the steward's stand at one (1) or more recognized race meetings for a period of not less than sixty (60) racing days per year during at least three (3) of the five (5) preceding calendar years; provided, however, if no person is available to serve who possesses the aforesaid experience as a racing official, then, the commission may consider for approval persons who have engaged in racing as an owner, or trainer, or jockey, or veterinarian, or breeder, and as an observer in the stewards' stand for at least three (3) of the five (5) preceding calendar years;

(2) He has satisfactorily passed an optical examination within one (1) year prior to approval as a steward evidencing corrected twenty-twenty (20-20) vision and ability to distinguish colors correctly;

(3) The commission is satisfied that income, other than salary as a steward, which may accrue to a person under consideration for appointment as a steward is independent of and unrelated to patronage of or employment by any licensee under the supervision of such steward, so as to avoid the appearance of any conflict of interest or suggestion of preferential treatment of a licensee.

Section 2. Appointment of Stewards. (1) There shall be three (3) stewards for each race meeting, one (1) of whom shall be appointed by the commission and two (2) of whom shall be nominated by the association for approval by the commission. Names of association nominees for steward shall be submitted at the time of application for association license if possible, but no later than thirty (30) days before commencement of a race meeting and be accompanied by biographical data setting out the experience and qualifications of the nominees. The association shall submit successive nominees until two (2) persons are approved by the commission as qualified to serve as stewards. No steward shall serve until approved by the commission.

(2) Stewards shall serve from one (1) minute after midnight on the day before the first racing day until one (1) minute before midnight on the day after the last racing day of the race meeting for which they are appointed; provided, in the event a dispute or controversy arises during a race meeting which is not settled at the conclusion of the race meeting, then the power of the stewards shall be extended over the period necessary to resolve the matter, or until the matter is referred or appealed to the commission.

(3) Stewards shall be responsible only to the commission and may be replaced by the commission at any time for failure to perform their duties to the satisfaction of the commission.

(4) In the event a steward becomes ill, resigns, or is unable to serve for any reason, then the remaining stewards shall nominate a successor or temporary steward to the commission for approval. In emergencies, a single commissioner by telephone may approve appointment of a successor steward.

Section 3. General Powers of Stewards. The stewards shall exercise immediate supervision, control, and regulation of racing at each licensed race meeting on behalf of and responsible only to the commission. By way of illustration and without limiting thereby, the powers of the stewards shall in-

clude:

- (1) Authority over all horses and all persons, licensed or unlicensed, on association grounds during a race meeting as to all matters relating to racing;
- (2) To determine all questions, disputes, protests, complaints, or objections concerning racing which arise during a race meeting and to enforce such determinations;
- (3) To suspend the license of a participant in racing, or eject or exclude from association grounds or any part thereof, licensed or unlicensed persons upon reasonable belief that a violation of these rules has or is about to occur;
- (4) To interpret and enforce these rules and determine all questions pertaining to a racing matter not specifically covered by these rules in conformity with justice and the customs of the turf, the same being subject to the powers and duties of the commission;
- (5) To issue decisions or rulings pertaining to racing which shall supersede orders of the officers, directors, and officials of the association and which shall, if the stewards deem proper, vary any arrangement for the conduct of a race meeting, to include without limiting thereby, postponing a race, or cancelling a race, ruling a race run as "no contest;"
- (6) To request and receive assistance from commission employees, racing officials, track security police, state or local police, in the investigation of possible rule infractions;
- (7) To conduct hearings on all questions, disputes, protests, complaints, or objections concerning racing matters;
- (8) In the event a regularly named rider or trainer or racing official other than a steward is unable for any reason to perform, the stewards may select a substitute therefor; upon suspicion of fraud or misconduct, the stewards may excuse a horse or replace any rider or trainer, or racing official other than a steward;
- (9) All other powers enumerated in these rules.

Section 4. Duties and Responsibilities of Stewards. In addition to the duties and responsibilities necessary and pertinent to general supervision, control, and regulation of race meetings, and without limiting the authority of the stewards to perform same and other duties enumerated in these rules, the stewards shall have the following specific duties and responsibilities:

- (1) To take cognizance of all misconduct or rule infractions irrespective of whether complained of, and to cause investigations to be made of all instances of possible rule infractions, to take such action as the stewards may deem necessary to prevent rule infraction;
- (2) At least one (1) steward shall be on association grounds from scratch time (or if not a racing day, when entries are first taken) until entries are closed. At least one (1) steward shall be present for the regular showing of racing films or video tapes. All three (3) stewards shall be on association grounds for a continuous period beginning three (3) hours before post time for the first race until conclusion of the last race. All three (3) stewards shall be present in the stewards' stand during the running of each race;
- (3) At least one (1) steward, or a designated representative of the stewards, shall be present in the paddock at least twenty (20) minutes before each race and remain there until the horses leave for the starting gate, to observe the conduct of all persons in and around the paddock and inspect, with the paddock judge and association veterinarian, all horses for fitness;
- (4) To inspect all applications for licenses to participate in racing, and administer, or cause to be administered by technically qualified persons, standard examinations to all first-time applicants for a trainer, jockey, apprentice jockey, veterinarian, dental technician, or farrier license, and make recommendations to the commission as to the qualifications of all applicants for licenses to participate in racing;
- (5) To review all licenses, registration certificates, and all contracts, papers, and other documents pertaining to the sale or ownership of a horse, payment of purse money, jockey and apprentice

jockey contracts, appointments of agents, adoptions of racing colors or stable name, and determine the eligibility and appropriateness thereof for participation in racing under supervision of the stewards;

(6) To call for proof of eligibility of a horse or person to participate in a race if such is in question and in absence of sufficient proof to establish eligibility, the stewards may rule such horse or person ineligible;

(7) To review stall applications and advise the association of undesirable persons, if any, among owners and trainers applying for stalls and provide the association with information pertaining to such undesirable persons;

(8) To supervise the taking of entries and receive all declarations and scratches and determine all questions arising and pertaining to same; the stewards may in their discretion refuse the entry of any horse by any person, or refuse to permit a declaration or scratch, or may limit entries in any way;

(9) To lock all pari-mutuel betting machines not later than the moment the starting gate is opened for the commencement of a race; to cause the "inquiry" sign to be posted on the infield odds board immediately after the horses have crossed the finish line in a race if any doubt is held by any steward or patrol judge as to the fairness of the running of such race; to cause the objection sign to be posted on the infield odds board upon the lodging of same; to cause the "official" sign to be posted on the infield odds board after determining the official order of finish for purposes of pari-mutuel payoff;

(10) To review the patrol films or video tapes of each day's races before commencement of the successive day's races and to draw up a list of riders (including all apprentice jockeys) whom the stewards feel should review such films for instructional purposes and cause same to be posted in the jockey's room. The patrol judges shall assist in making up the film list and attend all film showings whenever their other duties permit.

(11) To maintain a daily log, reporting all actions taken by the stewards on all controversies which arise during the day, such report to show name of track, date, weather, track condition, claims, results of saliva and urine tests, rulings issued, and any other circumstance or condition regarded as unusual, such reports to be signed by all three (3) stewards and filed within twenty-four (24) hours at the commission general office;

(12) To make periodic inspections of the barn area and check track security; to make occasional, informal visits to the jockeys' room and observe weighing out and check security; such inspections and observations made shall be noted in the stewards' report;

(13) To maintain a minute book which shall contain a detailed written record of all questions, disputes, protests, complaints, or objections brought to the attention of the stewards, summary of interviews taken thereon, reports of investigations thereon, together with rulings issued thereon; if a ruling is not unanimous, the dissenting steward shall record reasons for such dissent; such stewards' minute book shall be available to the commission for inspection at all times, but shall not be considered part of commission papers open to public inspection;

(14) Within seven (7) days after the conclusion of a race meeting, the stewards shall submit to the commission a written report setting out the condition of the meeting and association grounds, together with any recommendation for the improvement thereof which they may deem appropriate. (Recodified from 812 KAR 1:025, 6-10-87.)